

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION

UNITED STATES OF AMERICA

v.

JAMES TERRY HENRIKSON

I N D I C T M E N T

Case No. _____

Violation: 18 U.S.C. § 922(g)(1) and 28
U.S.C. § 2461(c)

COUNT ONE

Felon in Possession of a Firearm

The Grand Jury Charges:

From on or about January 1, 2011, to on or about January 15, 2014, in the District
of North Dakota,

JAMES TERRY HENRIKSON,

having been convicted of the following crimes punishable by imprisonment for a term
exceeding one year:

(1) Unlawful Manufacture of Marijuana, Deschutes County (OR), on or about
February 3, 2011, Docket No. 09FE0728ST;

(2) Attempt to Allude Police OFC-Vehicle, Deschutes County (OR), on or
about June 17, 2002, Docket No. 02FE0310ST;

(3) Burglary 2nd Degree, Deschutes County (OR), on or about November 26,
2001, Docket No. 01FE1089ST;

(4) Attempt to Commit Crime – Assault II, Deschutes County (OR), on or
about November 16, 2001, Docket No. 00FE1205ST; and,

(5) Three counts of Theft 1st Degree, Deschutes County (OR), on or about
November 16, 2001, Docket No. 01FE0662ST;

did knowingly possess in and affecting commerce the following firearm: one Smith and Wesson, Model SW 1911, .45 caliber pistol, Serial Number: UCF7895;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

Felon in Possession of a Firearm

The Grand Jury Further Charges:

From on or about January 1, 2011, to on or about January 15, 2014, in the District of North Dakota,

JAMES TERRY HENRIKSON,

having been convicted of the following crimes punishable by imprisonment for a term exceeding one year:

(1) Unlawful Manufacture of Marijuana, Deschutes County (OR), on or about February 3, 2011, Docket No. 09FE0728ST;

(2) Attempt to Allude Police OFC-Vehicle, Deschutes County (OR), on or about June 17, 2002, Docket No. 02FE0310ST;

(3) Burglary 2nd Degree, Deschutes County (OR), on or about November 26, 2001, Docket No. 01FE1089ST;

(4) Attempt to Commit Crime – Assault II, Deschutes County (OR), on or about November 16, 2001, Docket No. 00FE1205ST; and,

(5) Three counts of Theft 1st Degree, Deschutes County (OR), on or about November 16, 2001, Docket No. 01FE0662ST;

did knowingly possess in and affecting commerce the following firearm: one Christianson, Model .45 ACP, .45 caliber pistol, Serial Number: CX00143;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT THREE

Felon in Possession of a Firearm

The Grand Jury Further Charges:

From on or about January 1, 2011, to on or about January 15, 2014, in the District of North Dakota,

JAMES TERRY HENRIKSON,

having been convicted of the following crimes punishable by imprisonment for a term exceeding one year:

(1) Unlawful Manufacture of Marijuana, Deschutes County (OR), on or about February 3, 2011, Docket No. 09FE0728ST;

(2) Attempt to Allude Police OFC-Vehicle, Deschutes County (OR), on or about June 17, 2002, Docket No. 02FE0310ST;

(3) Burglary 2nd Degree, Deschutes County (OR), on or about November 26, 2001, Docket No. 01FE1089ST;

(4) Attempt to Commit Crime – Assault II, Deschutes County (OR), on or about November 16, 2001, Docket No. 00FE1205ST; and,

(5) Three counts of Theft 1st Degree, Deschutes County (OR), on or about November 16, 2001, Docket No. 01FE0662ST;

did knowingly possess in and affecting commerce the following firearm: one Walther, Model P22, .22 caliber pistol, Serial Number: L424162;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT FOUR

Felon in Possession of a Firearm

The Grand Jury Further Charges:

From on or about January 1, 2011, to on or about January 15, 2014, in the District of North Dakota,

JAMES TERRY HENRIKSON,

having been convicted of the following crimes punishable by imprisonment for a term exceeding one year:

(1) Unlawful Manufacture of Marijuana, Deschutes County (OR), on or about February 3, 2011, Docket No. 09FE0728ST;

(2) Attempt to Allude Police OFC-Vehicle, Deschutes County (OR), on or about June 17, 2002, Docket No. 02FE0310ST;

(3) Burglary 2nd Degree, Deschutes County (OR), on or about November 26, 2001, Docket No. 01FE1089ST;

(4) Attempt to Commit Crime – Assault II, Deschutes County (OR), on or about November 16, 2001, Docket No. 00FE1205ST; and,

(5) Three counts of Theft 1st Degree, Deschutes County (OR), on or about November 16, 2001, Docket No. 01FE0662ST;

did knowingly possess in and affecting commerce the following firearm: one Remington, Model 700, centerfire rifle, Serial Number: G6894244;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE

Felon in Possession of a Firearm

The Grand Jury Further Charges:

From on or about January 1, 2011, to on or about January 15, 2014, in the District of North Dakota,

JAMES TERRY HENRIKSON,

having been convicted of the following crimes punishable by imprisonment for a term exceeding one year:

(1) Unlawful Manufacture of Marijuana, Deschutes County (OR), on or about February 3, 2011, Docket No. 09FE0728ST;

(2) Attempt to Allude Police OFC-Vehicle, Deschutes County (OR), on or about June 17, 2002, Docket No. 02FE0310ST;

(3) Burglary 2nd Degree, Deschutes County (OR), on or about November 26, 2001, Docket No. 01FE1089ST;

(4) Attempt to Commit Crime – Assault II, Deschutes County (OR), on or about November 16, 2001, Docket No. 00FE1205ST; and,

(5) Three counts of Theft 1st Degree, Deschutes County (OR), on or about November 16, 2001, Docket No. 01FE0662ST;

did knowingly possess in and affecting commerce the following firearm: one Franklin Armory, Model HSC 15, .223 caliber centerfire rifle, Serial Number: HSC-00084;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT SIX

Felon in Possession of a Firearm

The Grand Jury Further Charges:

From on or about January 1, 2011, to on or about January 15, 2014, in the District of North Dakota,

JAMES TERRY HENRIKSON,

having been convicted of the following crimes punishable by imprisonment for a term exceeding one year:

(1) Unlawful Manufacture of Marijuana, Deschutes County (OR), on or about February 3, 2011, Docket No. 09FE0728ST;

(2) Attempt to Allude Police OFC-Vehicle, Deschutes County (OR), on or about June 17, 2002, Docket No. 02FE0310ST;

(3) Burglary 2nd Degree, Deschutes County (OR), on or about November 26, 2001, Docket No. 01FE1089ST;

(4) Attempt to Commit Crime – Assault II, Deschutes County (OR), on or about November 16, 2001, Docket No. 00FE1205ST; and,

(5) Three counts of Theft 1st Degree, Deschutes County (OR), on or about November 16, 2001, Docket No. 01FE0662ST;

did knowingly possess in and affecting commerce the following firearm: one Mossberg, 12-gauge shotgun, Serial Number: H366676;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVEN

Felon in Possession of a Firearm

The Grand Jury Further Charges:

From on or about January 1, 2011, to on or about January 15, 2014, in the District of North Dakota,

JAMES TERRY HENRIKSON,

having been convicted of the following crimes punishable by imprisonment for a term exceeding one year:

(1) Unlawful Manufacture of Marijuana, Deschutes County (OR), on or about February 3, 2011, Docket No. 09FE0728ST;

(2) Attempt to Allude Police OFC-Vehicle, Deschutes County (OR), on or about June 17, 2002, Docket No. 02FE0310ST;

(3) Burglary 2nd Degree, Deschutes County (OR), on or about November 26, 2001, Docket No. 01FE1089ST;

(4) Attempt to Commit Crime – Assault II, Deschutes County (OR), on or about November 16, 2001, Docket No. 00FE1205ST; and,

(5) Three counts of Theft 1st Degree, Deschutes County (OR), on or about November 16, 2001, Docket No. 01FE0662ST;

did knowingly possess in and affecting commerce the following firearm: one Cal Tech, Model SKG, 12-gauge shotgun, Serial Number: X0F90;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT EIGHT

Felon in Possession of a Ammunition

The Grand Jury Further Charges:

From on or about January 1, 2011, to on or about January 15, 2014, in the District of North Dakota,

JAMES TERRY HENRIKSON,

having been convicted of the following crimes punishable by imprisonment for a term exceeding one year:

(1) Unlawful Manufacture of Marijuana, Deschutes County (OR), on or about February 3, 2011, Docket No. 09FE0728ST;

(2) Attempt to Allude Police OFC-Vehicle, Deschutes County (OR), on or about June 17, 2002, Docket No. 02FE0310ST;

(3) Burglary 2nd Degree, Deschutes County (OR), on or about November 26, 2001, Docket No. 01FE1089ST;

(4) Attempt to Commit Crime – Assault II, Deschutes County (OR), on or about November 16, 2001, Docket No. 00FE1205ST; and,

(5) Three counts of Theft 1st Degree, Deschutes County (OR), on or about November 16, 2001, Docket No. 01FE0662ST,

did knowingly possess in and affecting commerce the following ammunition: 3 boxes of Peters Brand, 12-gauge shotgun shells; 2 boxes of Winchester brand shotgun shells;

2 boxes of Remington brand, .380 caliber rounds; 1 box of Stinger brand, .22 caliber rounds; 8 boxes of Federal brand, .45 caliber rounds; and various brands of loose .45 caliber rounds;

In violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

The Grand Jury Further Finds Probable Cause That:

1. The allegations contained in One through Eight Counts of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Section 922(g)(1), set forth in One through Eight Counts of this Indictment, JAMES TERRY HENRIKSON shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to:

- One Smith and Wesson, Model SW 1911, .45 caliber pistol, Serial Number: UCF7895
- One Christianson, Model .45 ACP, .45 caliber pistol, Serial Number: CX00143
- One Walther, Model P22, .22 caliber pistol, Serial Number: L424162
- One Remington, Model 700, centerfire rifle, Serial Number: G6894244
- One Franklin Armory, Model HSC 15, .223 caliber centerfire rifle, Serial Number: HSC-00084
- One Mossberg, 12 Gauge shotgun, Serial Number: H366676
- One Cal Tech, Model SKG, 12-gauge shotgun, Serial Number: X0F90
- Three boxes of Peters brand, 12-gauge shotgun shells
- Two boxes of Winchester brand shotgun shells
- Two boxes of Remington brand, .380 caliber rounds
- One box of Stinger brand, .22 caliber rounds
- Eight boxes of Federal brand, .45 caliber rounds
- Various brands of loose .45 caliber rounds

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c);

All pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

/s/ Grand Jury Foreperson
Foreperson

/s/ Timothy Q. Purdon
TIMOTHY Q. PURDON
United States Attorney

GLD:aap